

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

United States of America,

Plaintiff,

vs.

Pavel Ivanovich Lazarenko,

Defendant.

Case No. 3:00-cr-00284-CRB-1

Date:

Time:

Place:

Judge: Hon. Charles R. Breyer

[PROPOSED] FINAL JUDGMENT OF FORFEITURE

AND NOW, this ___ day of _____, 2022, pursuant to Federal Rule of Criminal Procedure 32.2(e) and 18 U.S.C. § 982 & 21 U.S.C. § 853, in partial satisfaction of the Forfeiture Money Judgment entered against the defendant that remains outstanding, the Court finds the following:

a. On April 9, 2021, the Government filed an application for a preliminary order of forfeiture seeking to forfeit all funds on deposit in Lazarenko's Bank Julius Baer (BJB) Guernsey account and Liechtensteinische Landesbank AG (NRKTO) account, as substitute property.

b. On August 6, 2021, this Court entered an order forfeiting property substitute property in the amount of \$2,283,602.80 under Fed. R. Crim. P. 32.2(b).

c. On August 20, 2021, this Court modified the preliminary order of forfeiture to forfeit substitute property in the amount of \$2,794,502.80, from these two bank accounts.

d. On October 6, 2021, Blank Rome LLP, Fox Rothschild LLP, the law offices of David B. Smith PLLC and the law offices of Daniel Horowitz, (the "Law Firms") filed an ancillary petition. On October 7, 2021 Alexei Ditiatkovsky ("Ditiatkovsky") filed an ancillary petition.

e. On December 20, 2021, the Government moved to dismiss all of the ancillary petitions.

1 f. On January 7, 2022, the Law Firms joined the Government's motion to dismiss
2 Ditiatkovsky's petition. Ditiatkovsky did not file a response to the Government's motion to dismiss.

3 g. On January 20, 2022, the Law Firms filed an Opposition to the Government's motion
4 to dismiss and a cross-motion for summary judgment.

5 This Court having reviewed the Government's motion to dismiss, the Law Firms' cross
6 motion, and all other papers filed by the parties, hereby **GRANTS** the Law Firms' cross-motion.
7 The motion to dismiss Ditiatkovsky's petition is also **GRANTED**.

8 The Court **FINDS** that
9

10
11 (A)_____ The Law Firms have a superior interest in the amount of
12 \$2,382,226.56 under § 853(n)(6)(A). Therefore, the amount of \$412,276.24 is
13 **FORFEITED** to the United States as substitute property. The amount of
14 \$2,382,226.56 is **DISMISSED**

15
16 **[and/or]**

17 (B)_____ The Law Firms have a superior interest in the amount of
18 \$2,357,579.40 under § 853(n)(6)(B). Therefore, the amount of \$436,923.40 is
19 **FORFEITED** to the United States as substitute property. The amount of
20 \$2,357,579.40 is **DISMISSED**.

21 NOW, THEREFORE, it is hereby ORDERED, ADJUDGED AND DECREED as follows:

- 22 1. All right, title and interest of all persons, including their heirs and assigns, in any
23 forfeited property is hereby fully and finally forfeited to the United States of America
24 pursuant to 18 U.S.C. § 982 & 21 U.S.C. § 853(p).
25
26 2. The United States Marshals Service, and/or its designee, shall dispose of the forfeited
27 property in accordance with the law and the rules of this Court.
28

IT IS SO ORDERED.

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